

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANTHONY DELLA MURA,

Plaintiff,

- against -

RICHARD THOMAS, et al.,

Defendants.

19 CV 8699 (LMS)

ORDER

THE HONORABLE LISA MARGARET SMITH, U.S.M.J.¹

On June 9, 2020, the Court reiterated its expectation that Defendant Richard Thomas and Defendant Lawrence Porcari were to have secured replacement counsel within 30 days of April 30, 2020, and noted that no new notices of appearance had been filed. ECF No. 73. The Court went on to direct Defendant Thomas and Defendant Porcari to provide a status update to the Court within 14 days of June 9, 2020 (by June 23, 2020), to include each Defendant's contact information and each Defendant's attempts to obtain counsel. The Court did not then, and does not now, have contact information for Defendant Thomas and Defendant Porcari, and therefore once again the Court directs prior counsel, who will receive a copy of this Order by email, to provide a copy of this Order to their former clients.

In the April 30 Order (ECF No. 72) the Court set a motion schedule for motions to dismiss. The requisite filing date for such motions was June 29, 2020, and no motions have been filed. The Court is in receipt of a letter (ECF No. 74), purportedly sent on behalf of an attorney for Defendant Porcari, asking the Court to adjourn the motion schedule, but the letter's author

¹ The parties (except for Defendant Marable who has not appeared in this action) consented to the undersigned's jurisdiction pursuant to 28 U.S.C. § 636(c) on March 30, 2020. ECF No. 68.

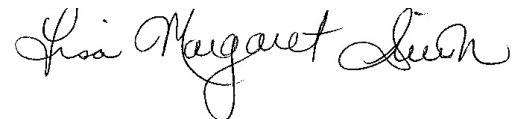
has not filed a Notice of Appearance, and therefore he is not in a position to seek relief from the motion schedule. That attorney will also receive a copy of this Order by email, because he is not on the docket sheet and will not receive a Notice of Electronic Filing, as counsel of record will. However, no such courtesy will take place in future; in order for counsel to file a motion², or seek any relief, counsel must file a Notice of Appearance. Otherwise, the individual Defendants may seek relief by submitting a *pro se* application with the Court.

As of the date of this Order the date for motion practice has passed.

This constitutes the Decision and Order of the Court.

Dated: June 30, 2020
White Plains, New York

SO ORDERED,



Lisa Margaret Smith
United States Magistrate Judge
Southern District of New York

cc by email to:

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² It is not clear how this Court would have jurisdiction over the motion that is proposed in counsel's letter.